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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,996	07/07/2004	Hiroyuki Hosobuchi	04424/LH	1865

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EXAMINER

PAYNE, SHARON E

ART UNIT PAPER NUMBER

2875

DATE MAILED: 03/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/500,996

Applicant(s)

HOSOBUCHI, HIROYUKI

Examiner

Sharon E. Payne

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) 2-4,6,7 and 9-31 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,5 and 8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>0704</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of claims 1, 5 and 8 in the reply filed on 7 February 2006 is acknowledged.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 and 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Mabuchi (U.S. Patent 6,679,613).

Regarding claim 1, Mabuchi discloses an illumination device in which light from a light source (reference number 12) enters a light guide plate (reference number 16) from a side surface thereof (Fig. 1) and is guided in a surface direction in the light guide plate to perform a surface emission from the light guide plate for illuminating a display member (Fig. 1, abstract), wherein the light guide plate comprises a first illuminating portion (reference number 16, bottom left) for guiding light from the light source in the surface direction and radiating the light toward an upper surface of the light guide plate (Fig. 1), and a second illuminating portion (Fig. 1, reference number 16, top right) for

guiding light from the light source in the surface direction and radiating the light toward a lower surface side of the light guide plate (Fig. 1), and the display member (reference numbers 24 and 20) is disposed in each of the upper surface side and the lower surface side of the light guide plate (Fig. 1).

Concerning claim 5, Mabuchi discloses the second illuminating portion (reference number 16, top right) comprising a plurality of line-shaped prisms (Fig. 1) having reflection surfaces (Fig. 1) on an upper surface of the light guide plate (Fig. 1), each of the reflection surfaces of the line-shaped prisms reflecting light guided in the light guide plate toward the lower surface side of the light guide plate (Fig. 1).

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Gasper (U.S. Patent 2,262,930).

Regarding claim 1, Gasper discloses an illumination device in which light from a light source (reference number 11) enters a light guide plate (reference number 7) from a side surface thereof (Fig. 2) and is guided in a surface direction in the light guide plate to perform a surface emission from the light guide plate for illuminating a display member (Fig. 2, reference numbers 8, 9 and 10), wherein the light guide plate comprises a first illuminating portion (reference number 7, bottom) for guiding light from

the light source in the surface direction and radiating the light toward an upper surface of the light guide plate (Fig. 2), and a second illuminating portion (Fig. 2, reference number 7, top) for guiding light from the light source in the surface direction and radiating the light toward a lower surface side of the light guide plate (Fig. 2), and the display member (reference numbers 8, 9 and 10) is disposed in each of the upper surface side and the lower surface side of the light guide plate (Fig. 2). (No structure for the surfaces of the light guide is required, so a flat surface meets the elements of the claim.)

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 5 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gasper and Kusakabe (U.S. Patent 6,431,716).

Regarding claim 5, Gasper does not disclose prisms. Kusakabe discloses the second illuminating portion (reference number 2, top portion) comprising a plurality of line-shaped prisms (Fig. 1) having reflection surfaces (Fig. 1, top) on an upper surface of the light guide plate (Fig. 1), each of the reflection surfaces of the line-shaped prisms reflecting light guided in the light guide plate toward the lower surface of the light guide plate (Fig. 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the prisms of Kusakabe in the apparatus of Gasper to make the light emit from the apparatus in a uniform manner (column 4, lines 25-26, of Kusakabe).

Concerning claim 8, Gasper does not disclose prisms. Kusakabe discloses each of the line-shaped prisms of the second illuminating portion provided to be approximately parallel with a line connecting the light source and a portion of the side surface of the light guide plate which faces the light source (Fig. 12), and a side surface reflection portion reference number 26) is provided on the side surface of the light guide plate located in the second illuminating portion side (Fig. 10A), the side surface reflection portion reflecting light which runs straight in the second illuminating portion and reaches an end surface of the light guide plate (Fig. 10A) toward the inside of the second illuminating portion (Fig. 10A).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the configuration of Kusakabe in the apparatus of Gasper to make the light emit from the apparatus in a uniform manner (column 4, lines 25-26, of Kusakabe).

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharon E. Payne whose telephone number is (571) 272-2379. The examiner can normally be reached on regular business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sep



Sharon Payne
Patent Examiner
Technology Center 2800